



# Rights@Work

Information for CPSU Members about the Victorian Public Service Agreement 2006

## OVERTIME PAYMENTS

If you work overtime you **MUST** be compensated. Overtime is hours worked, at the employer's direction, outside your ordinary daily hours of work.

Ordinary hours of work for most employees except shift, part time, and casual workers will average 76 (exclusive of meal breaks), to be worked over an average of no more than 10 days per fortnight. Normally a 7.6 hour day applies to most fulltime employees.

An employee who works overtime, at the Employer's direction, must be paid the appropriate overtime rate.

### Relevant VPSA 2006 Clauses:

#### Cl. 35\* – Overtime,

The requirement to pay overtime does not apply to; employees classified Grade 5 or higher or the nearest equivalent salary level to Grade 5 in any adaptive occupational specific structure, part time employees working less than 38 hours a week who are not shift workers, and where overtime is incorporated in total remuneration or commuted overtime allowance.

The **rates of payment** for overtime are:

**Monday to Saturday** – Time and a half for the first 3 hours and double time thereafter.

**Sunday** – Double time.

**Public Holidays** – if Monday to Friday: Time and a half for normal daily hours, double time and half for time in excess of normal daily hours. If Saturday and Sunday - double time and a half.

The hourly rate of payment for overtime is calculated on your salary or the highest pay point within Grade 3 Value Range 1, whichever is lowest.

**Part time employees** are paid overtime after 38 hours have been worked in one week or outside the span of hours 7.00 am to 7.00 pm on weekdays, or for work performed on weekends or public holidays.

If you would prefer to take **time off in lieu** instead of being paid the overtime penalties you can do so, but this can only occur if you request it. Your Employer cannot direct that you take time off in lieu instead of payment.

**Time in lieu** of payment accrues on an hour for hour basis for overtime worked on a weekday. In the case of overtime worked on a weekend or public holiday, time in lieu accrues on the basis of two hours for every hour worked. You can accumulate time in lieu up to a maximum of 38 hours. Once you hit 38 accumulated hours you must be paid for any additional overtime worked. You cannot take more time in lieu. By agreement, you can convert your 38 hours of accrued time in lieu to one additional week's annual leave. Upon termination, your accrued time in lieu is paid out as if it were time worked.

A **Meal Allowance** is payable to employees working overtime of more than 2 hours either immediately before or after a scheduled period of ordinary duty, or for overtime of sufficient length to warrant a meal break.

Except in an emergency, you must not work more overtime, ordinary time, or on-call duties without an 8 hour rest period. If an emergency situation prevents you from having an 8 hour rest period, you must be paid overtime for all time worked until a rest period of at least 8 hours continuous duration is taken.

*Overtime arrangements for DPI/DSE employees are detailed in Appendices 8 and 9 respectively  
Overtime arrangements for Sheriffs (Appendix 4) DE&T (Appendix 5),  
DHS CP & JJ employees (Appendix 7) and Ministerial Chauffers (Appendix 10).*

Visit [www.cpsuvic.org](http://www.cpsuvic.org) to view/download the full Victorian Public Service Agreement 2006

One Service – One Agreement